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MEMO ENDORSED

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May 3, 2022

VIA ECF

Hon. Katharine H. Parker, U.S.M.J.
United States District Court, Southern District of New York
500 Pearl Street
New York, New York 10007

Re: Santana v. NYC Motorcars of Freeport Corp., et. al.
Case No.: 1:21-cv-10520 ALC-KHP

*Approved. I
adjoined
Katharine H Parker
USMJ
5.3.2022*

Dear Judge Parker:

As a note of introduction, this office is counsel to the Defendant Fawad Awan ("Defendant").

This correspondence shall serve as a request to cancel the Initial Pretrial Conference scheduled for May 4, 2022 at 11:00 am ("Conference"). The reason for the instant request is that the Plaintiff Eric Santana ("Plaintiff") and Defendant have executed/filed a *Stipulation of Voluntary Dismissal* [Doc. 26] with the Plaintiff's action voluntarily dismissed against the Defendant pursuant to FRCP 41(a)(1)(A)(ii). Likewise the Plaintiff and Defendant have also executed/filed a *Stipulation of Voluntary Dismissal* [Doc. 27] in regard to Defendant's cross-claims against the co-defendant NYC Motorcars Corp. ("NYCM") pursuant to FRCP 41(c)(1). The Plaintiff is continuing the action against NYCM, who has not yet appeared, with the Plaintiff having recently filed a *Motion for a Default Judgment* [Doc. 24], which motion is pending.

Plaintiff's counsel has assented to this request and the contents herein. This is the first request for either party in regard to the scheduling of the Conference.

We thank the Court for its time and attention to this matter.

Very truly yours,

/bwm/

Bruce W. Minsky